



PATENT  
Customer No. 22,852  
Attorney Docket No. 02481.1737-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Olaf RITZELER et al. ) Group Art Unit: 1625  
Application No.: 10/627,978 ) Examiner: Z. Davis  
Filed: July 28, 2003 )  
For: SUBSTITUTED BETA CARBOLINES ) Confirmation No.: 4099

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**NOTICE OF ERROR IN THE DETERMINATION OF PATENT TERM ADJUSTMENT**

As required by 65 FED. REG. 56387 (September 18, 2000), Applicants notify the Patent and Trademark Office (PTO) of an error in the patent term adjustment.

The Notice of Determination of Patent Term Adjustment dated October 3, 2005, indicates that this allowed application is entitled to 27 days of adjustment due to PTO delays. Based on Applicant's calculation, the correct patent term adjustment period is 0 days at the present time, provided that the patent issues in a timely manner without any delay on the part of the PTO.

The error appears to stem from an entry in the attached patent term adjustment history in the PAIR page for this application. The PAIR page indicates that an Office Action was mailed on July 28, 2005, when, instead, the Office Action was actually mailed on May 26, 2005. The correct mailing date of the Office Action (May 26, 2005) is within four months of the applicant's earlier Amendment filed on March 1, 2005. As a result, the calculation of 27 days of PTO delay during that time period appears to be erroneous.

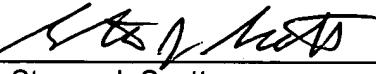
**Attorney Docket No. 02481.1737-01  
Application No. 10/627,978**

Please charge any necessary fees required to enter this paper to our deposit account  
06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: December 22, 2005

By:   
Steven J. Scott  
Reg. No. 43,911

OIR = IAPAS  
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**Patent Term Adjustment (PTA) for application number:  
10/627,978**

		Days
Filing or 371(c) Date:	07-28-2003	USPTO Delay (PTO): 27
Issue Date of Patent:	-	Three Years: -
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL): 0
Post-Issue Petitions (days):	+0	Total PTA: 27
USPTO Adjustment (days):	+0	Explanation of Calculations

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 Assignments  
 Continuity Data  
 Display References  
 File History  
 Foreign Priority  
 Image File Wrapper

Patent Term Adjustment History			
Date	Contents Description	PTO (days)	APPL (days)
10-03-2005	Mail Notice of Allowance		
09-29-2005	Notice of Allowance Data Verification Completed		
09-29-2005	Case Docketed to Examiner in GAU		
07-28-2005	Date Forwarded to Examiner		
07-18-2005	Response after Non-Final Action		
07-28-2005	Mail Non-Final Rejection	27	
07-28-2005	Non-Final Rejection	↑	
04-08-2005	Correspondence Address Change	↑	
03-01-2005	Reference capture on IDS	↑	
03-01-2005	Information Disclosure Statement (IDS) Filed	↑	
03-16-2005	Date Forwarded to Examiner	↑	
03-01-2005	Response after Non-Final Action	↑	
12-22-2004	Mail Non-Final Rejection		
12-22-2004	Non-Final Rejection		
10-19-2004	Date Forwarded to Examiner		
09-24-2004	Response to Election / Restriction Filed		
09-07-2004	Mail Restriction Requirement		
09-03-2004	Requirement for Restriction / Election		
04-08-2004	Case Docketed to Examiner in GAU		
02-23-2004	Application Return from OIPE		

02-23-2004	Application Return TO OIPE
02-20-2004	Application Dispatched from OIPE
02-23-2004	Application Is Now Complete
01-23-2004	Payment of additional filing fee/Preeexam
07-28-2003	Claim Preliminary Amendment
10-23-2003	Notice Mailed--Application Incomplete--Filing Date Assigned
10-13-2003	Cleared by OIPE CSR
09-05-2003	IFW Scan & PACR Auto Security Review
07-28-2003	Initial Exam Team nn

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